

REMARKSDrawings

Figure 1 has been corrected so that the allowable corrected phrase “Prior Art” is clear and well defined. Applicant respectfully submits that Figure 1 is currently in condition for allowance. Reconsideration is respectfully requested.

Claim Rejections – 35 U.S.C. §102 – Larson(US 5,485,671)

Claim 27

Claim 27 stands rejected under 35 U.S.C. §102(b) as being anticipated by Larson et al.(US 5,485,671).

Directing Examiner’s attention to MPEP 2131, the threshold issue under Section 102 is whether the Examiner has established a *prima facie* case for anticipation. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)”. “The identical invention must be shown in as complete detail as is contained in the ...claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1566 (Fed. Cir. 1989).

Claim 27 of the present invention has been amended to include the limitation of Claim 29, which Examiner states “would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” (*Final Office Action*, July 8, 2004, Page 6). Claim 27, as amended, teaches a heat pipe comprising a “diamond wall configured to transfer thermal energy from said cooling fluid in said condensation region.”

Larson does not teach a heat pipe comprising a diamond wall configured to transfer thermal energy from the cooling fluid in the condensation region, as evidenced by Examiner's statement regarding the patentability of Claim 29, as mentioned above.

Applicant respectfully submits that Larson fails to teach each and every element of Claim 27 of the present invention. Therefore, Claim 27 is currently in condition for allowance.

Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 17-20, 28, 30, 31, 33, 34, and 36-39

Claims 17-20, 28, 30, 31, 33, 34, and 36-39 stand rejected under 35 U.S.C. §102(b) as being anticipated by Larson.

Claims 17-20 have been canceled.

Since Claims 28, 30, 31, 33, 34, and 36-39 are dependent from Claim 27, Applicant respectfully asserts that these claims also are patentable as they contain the same limitations as Claim 27.

Therefore, reconsideration and withdrawal of these rejections is respectfully requested.

Claim Objections

Claims 29 and 35 stand objected to as being dependent upon a rejected base claim, Claim 27.

Claim 29 has been canceled and its limitations have been included in Claim 27.

Applicant respectfully submits that Claim 35 is currently in condition for allowance as base Claim 27, upon which it depends, has been amended and is now patentable.

Reconsideration and withdrawal of these objections is respectfully requested.

If the Examiner has any questions regarding this application, the Examiner may telephone the undersigned at 775-586-9500.

Respectfully submitted,
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